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Attorneys for Party in Interest
Richard Saghian, an Individual

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re	)	Case No. 2:21-bk-18205-DS
)	
CRESTLLOYD, LLC,	)	Chapter 11
)	
Debtor and Debtor-in-Possession.	)	Assigned to: The Hon. Deborah J. Saltzman
)	
	)	OPPOSITION AND JOINDER OF
	)	RICHARD SAGHIAN, AN INDIVIDUAL,
	)	IN DEBTOR'S RESPONSE TO MOTION
	)	OF EDWARD ROARK SCHWAGERL,
	)	INTERESTED PARTY, FOR AN "IN
	)	CAMERA" EVIDENTIARY HEARING
	)	[DKT. 487]
)	
	)	<u>Hearing:</u>
	)	Date: June 22, 2023
	)	Time: 11:30 a.m.
	)	Place: Courtroom 1639
	)	255 E. Temple St.
	)	Los Angeles, CA 90012
	)	VIA ZOOMGOV ONLY
)	
	)	Dkt. Ref. Nos. 487, 492
)	

Mr. Richard Saghian (“Mr. Saghian”) hereby files this opposition and joinder to the *Response to Motion of Edward Roark Schwagerl, Interested Party, for an “In Camera” Evidentiary Hearing [Dkt No. 487]* [Docket No. 492] (the “Debtor’s Response”) filed by the Debtor in response to the motion for an in camera evidentiary hearing filed by interested party Edward Roark Schwagerl (“Mr. Schwagerl”) at Docket No. 487 (the “Motion”). Mr. Saghian joins in the Debtor’s Response in all respects.

In addition, Mr. Saghian further objects to the need for a hearing on the Motion where no cognizable legal theories are asserted and no relief is requested. Mr. Schwagerl requests an in camera evidentiary hearing to consider documents that allegedly support a *Motion for Order of Confirmation of Sale* [Docket No. 133] (the “2022 Motion”) filed more than a year prior. The 2022 Motion also fails to present any cognizable legal theories as it seeks “confirmation of sale” of the property located at 944 Airole Way, Los Angeles, CA 90077 outside of the sale and auction procedures approved by this Court and for no stated consideration. Mr. Saghian and other parties in interest, including the estate, have expended material time and resources responding to the pleadings filed by Mr. Schwagerl and will be forced to expend additional resources if the present Motion proceeds to hearing. Mr. Saghian reserves all rights, including the right to supplement or amend this opposition and joinder to seek damages from Mr. Schwagerl in connection with the Motion

For the reasons listed herein, Mr. Saghian respectfully requests that the Court deny the Motion, and grant such other relief as is just and proper.

Dated: June 8, 2023

Respectfully submitted,

SIDLEY AUSTIN LLP

By: /s/ Genevieve G. Weiner

Samuel A. Newman
Amy P. Lally
Genevieve G. Weiner

Attorneys for Richard Saghian, an
individual

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Sidley Austin LLP, 555 West Fifth Street, Los Angeles, CA 90013

A true and correct copy of the foregoing document entitled (*specify*): **OPPOSITION AND JOINDER OF RICHARD SAGHIAN, AN INDIVIDUAL, IN DEBTOR'S RESPONSE TO MOTION OF EDWARD ROARK SCHWAGERL, INTERESTED PARTY, FOR AN "IN CAMERA" EVIDENTIARY HEARING [DKT. 487]** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On June 8, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On June 8, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on June 8, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

6/8/2023

Pamela Santos

Date

Printed Name

/s/Pamela Santos

Signature

**SERVICE LIST
(Via NEF)**

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.